

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SERGIO ALVAREZ,

Plaintiff,

v.

MORRIS SHEA BRIDGE COMPANY,

Defendant.

Case No. 1:24-cv-00723-JLT-BAM

ORDER DIRECTING CLERK OF COURT TO  
FILE OBJECTION AS SECOND AMENDED  
COMPLAINT

(Doc. 46)

Plaintiff Sergio Alvarez seeks to hold Defendant Morris-Shea Bridge Company, Inc. liable for alleged retaliation. (*See* Docs. 1-3, 20.) On January 7, 2025, the district judge granted Defendant's motion to dismiss the amended complaint, granted a final opportunity to amend, and directed Plaintiff to file a second amended complaint within thirty (30) days of service. (Doc. 45.)

On January 14, 2025, Plaintiff filed an "Objection" to the Court's order. (Doc. 46.) Although labeled as an objection and styled as a letter, the document appears to contain factual allegations and exhibits, which Plaintiff believes support his retaliation claim. (*Id.*)

As Plaintiff is proceeding pro se, and in an abundance of caution, the Court will construe Plaintiff's objection to the district court's order as a second amended complaint. Accordingly, it is HEREBY ORDERED as follows:

1. The Clerk of the Court is directed to re-file the objection and attached exhibits (Doc.

46) as Plaintiff's Second Amended Complaint.

2. Defendant shall file a response to the amended pleading within fourteen days after service. Fed. R. Civ. P. 15(a)(3).

IT IS SO ORDERED.

Dated: January 15, 2025

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE